

C O N F I D E N T I A L SECTION 01 OF 02 NAIROBI 003988

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SUBJECT: KENYA REFERENDUM: VIOLENCE, TRIBALISM, AND GOVERNMENT SUPPORT

REF: A. NAIROBI 3982

[¶](#)B. NAIROBI 3863

Classified By: Political Counselor Michael J. Fitzpatrick for reasons 1  
.4 (b,d)

[¶](#)1. (C) SUMMARY: A recent announcement that the Kenyan government plans to throw all of its resources, financial and human, towards a "Yes" vote threatens the very nature of a free and fair referendum. Recent violence and escalating tribalism surrounding the referendum campaigns further threaten to undermine the democratic exercise. END SUMMARY.

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Conflicting Loyalties  
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[¶](#)2. (SBU) Poloff attended a September 21 "No" rally held in Thika, the economic capital of the Kikuyu heartland and home to Uhuru Kenyatta, the KANU (opposition) party Chairman and an ethnic Kikuyu. The rally posed a real test of loyalties for Thika's residents: support their home-grown leader and oppose the draft constitution or support their elected (and also Kikuyu) President and support a document widely held to be written by and benefiting Kikuyus. Upon entering the town of Thika, emboffs were greeted with pro-"Yes" graffiti on the streets and surrounding buildings. Approaching the site of the rally, the pro-"Yes" graffiti was re-painted to create pro-"No" messages. The start of the rally was disrupted by violent clashes when "Yes" supporters, some brandishing machetes, attacked the "No" audience gathered at the rally. Several people were injured before order was restored. Poloff noticed a heavy police presence for the duration of the rally. There were subsequently widespread complaints that the police had only stood by when the "Yes" supporters moved in to disrupt the rally.

[¶](#)3. (SBU) Despite the earlier fracas and lingering threat of violence, those who remained to listen to the speakers did so with an air of reservation. The crowd was less enthusiastic than at previous "Yes" and "No" rallies, but listened politely and occasionally responded when prompted by the speakers. The most galvanizing moment of the rally came when Raila Odinga, Minister for Roads and Public Works, took to the podium to address the crowd and was able to whip them up for a few pro-"No" cheers.

[¶](#)4. (SBU) Immediately following Raila came Thika's own prodigal son, Uhuru. Surprisingly, as Uhuru began to speak, the vast majority of the crowd turned their backs on him and headed for the exit. Uhuru cut his speech short and the rally drew to an abrupt close. One spectator explained to poloff that many of the people came to the rally curious to see and hear the heavy-hitters in the speakers' line-up. However, being familiar with Uhuru, they had no interest in staying to hear what he had to say as they disagreed with his "No" message. An alternative explanation for the mass exodus, offered by a member of the "No" team, was that people left the rally because they feared further violence. This explanation leaves something to be desired, as SWAT teams were present and poloff did not observe any suspicious activity that might support such a claim. A great number of rally attendees, however, had vacated after the initial violence, and did not stay to hear any of the speakers.

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Accusations of State Sponsored Violence  
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[¶](#)5. (SBU) During the rally, Joseph Komotho, LDP Sectary General and a member of Parliament, accused Internal Security Minister John Muchuki of supporting the pro-"Yes" hooligans by providing drugs and money to the hirelings to disrupt the "No" rally. The "No" team repeated the accusation (extending it to other key allies of President Kibaki) following similar skirmishes at the September 22 "No" rally in Garissa. Further, the "No" group condemned the government for &state-sponsored violence8 against them and accused the police of bias in arresting 14 "No" supporters following the fracas in Thika, while releasing all of the "Yes" instigators.

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Government Resources Lend Support to the "Yes" Campaign  
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16. (SBU) Both the "Yes" and "No" campaigns launched their respective National Referendum Committees to manage their referendum campaigns earlier in the week. Embassy staff attended both office openings in Nairobi and noted a general lack of organization and poor attendance at the "Yes" headquarters. By contrast the "No" office opening was extremely well planned and drew a greater crowd of "No" supporters. The "No" camp also revealed the amount (Sh2.7 million) and source (members of Parliament's contributions) of their campaign war chest, which is a welcome development given that the source of campaign funding has become a hot topic for both sides.

17. (C) On September 21, the Kenya National Commission on Human Rights, the Kenya Human Rights Commission, and the Electoral Commission of Kenya admonished both sides for using government resources for their campaigns and announced that they would monitor the use of public resources. However, just two days later, Justice and Constitutional Affairs Minister Kiraitu Murungi declared that the government was funding the "Yes" campaign since the referendum was a government project. Internal Security Minister John Michuki further stated that the "No" team "can seek for funding from their foreign masters.<sup>8</sup> (NOTE: According to the Parliament's Sergeant at Arms, rumors that the U.S. Embassy is funding the "No" campaign are circulating widely among Members of Parliament. END NOTE.) Murungi also stated that all civil servants have a duty<sup>8</sup> to campaign for a "Yes" vote, and that anyone who obstructs civil servants performing this duty will be met by the full force of law.

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Deepening Divisions Between Ethnic Groups  
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18. (U) The three groups also announced that they would monitor politicians, leaders, and radio stations for airing hate speeches based on ethnicity, which have been airing on several vernacular radio stations. Recent comments by Michuki raise the disturbing specter of tribalism. He remarked &you Kikuyus can sleep soundly at night and let your hearts not be troubled because you have Kibaki, (and others protecting you.<sup>8</sup> Comments such as these serve not only to unify Kikuyus behind the President but also may deepen the Kikuyu sense of isolation as these comments alienate other groups.

19. (SBU) COMMENT: Appeals to ethnicity and the reception afforded the "No" team, and in particular Uhuru, in Kikuyu-populated Thika reinforce the concern that ethnic affiliation will play a critical role in the referendum vote. Rising tribalism is even more disturbing when coupled with the increasing incidents of violence. Use of government resources to further the "Yes" campaign has the potential to significantly disadvantage the "No" vote and threaten the very nature of a free and fair referendum.  
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